

REMARKS

Claims 3, 53 and 54 currently appear in this application. The Office Action of December 21, 2006, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Claim Objections

Claim 53 is objected to because the + sign was written as "+." The present amendment corrects this typographical error.

Rejections under 35 U.S.C. 112

Claims 3 and 54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite with respect to the amino acid sequence.

This rejection is respectfully traversed. Claim 54 has been amended in accordance with the Examiner's helpful suggestion to clarify that any one of SEQ ID NO:1, 11 or 18 is a partial amino acid sequence.

Claims 3 and 54 are rejected under 35 U.S.C. 112, first paragraph, because the specification is said only to be

enabling for a native α -isomaltosylglucosaccharide forming enzyme wherein the enzyme is specifically isolated from a wild type non-recombinant *B globisporus* N75 strain and mutants thereof having the characteristics defined in claim 53. The Examiner's position is that the specification does not reasonably provide enablement for any claimed enzyme from any source, and having any physicochemical properties, and a partial amino acid sequence of SEQ ID NO:1, 11 or 18. The Examiner further states that claims 3 and 54 are so broad as to encompass any α -isomaltosylglucosaccharide forming enzyme from any source comprising the partial amino acid sequence of SEQ ID NO:1, 11 or 18.

This rejection is respectfully traversed. Claim 54 has been amended to include its physicochemical properties that were previously recited in claim 53. As claim 53 has not been rejected for lack of enablement, it is respectfully submitted that amended claim 54 now defines allowable subject matter.

Claims 3 and 54 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

This rejection is respectfully traversed. The limitations of claim 53 have been added to claim 54. As claim 53 was not rejected for lack of written description, it is believed that claim 54 is now allowable.

Entry of the present amendment is respectfully requested, as no new issues are raised. By incorporating limitations of claim 53 into claim 54, applicant has now written the broadest claim the limitations which the examiner deemed were enabled by the specification as filed and which were included in the written description of the specification as filed.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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